

## REMARKS

In the Office Action, claims 1-10 were rejected. Claims 1, 3 and 4 have been amended and new claims 47-50 have been added. With respect to the new and amended claims, Applicants respectfully assert that no new matter has been added. Upon entry of the amendments, claims 1-10 and 47-50 will remain pending in the present patent application. Reconsideration of the claims, in view of the remarks set forth below is respectfully requested.

### **Amendments to Correct Typographical Errors**

Applicants note that Claims 3 and 4 are amended to correct minor typographical errors present in prior versions of the claims. Specifically, the term “chemical attach” has been replaced with the clearly intended term “chemical attack.” Applicants note that the claim amendment is made to cure the minor error and not with regard to a rejection based on patentability.

### **Rejections Under 35 U.S.C. § 102**

The Examiner rejected claims 1-6, 8 and 9 under 35 U.S.C. § 102(b) as being anticipated by Freeman (US 6,655,788, hereinafter “Freeman”). Applicants respectfully traverse this rejection.

### ***Legal Precedent***

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under Section 102, a single reference must teach each and every element or step of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Thus, if the claims recite even one element not found in the cited reference, the reference does not anticipate the claimed invention.

***Independent Claim 1 and Claims Depending Therefrom***

Embodiments of the present application relate to providing a hermetically sealed package for organic electronic devices. Application, Page 2, lines 18-22. For example, the application provides an embodiment where a sealant is implemented to couple a superstrate to a flexible substrate, providing a complete enclosure for the organic electronic device. Application, Page 7, lines 25-28. The specification describes a superstrate as an upper substrate of the organic package. Application, Page 8, lines 5-6. One embodiment of the present invention discloses a superstrate that is adapted to wrap around the edges of the package, thereby sealing and protecting the organic electronic device. Application, Page 9, lines 19-24, Fig. 3.

Accordingly, independent claim 1 has been amended to recite “[a] package comprising . . . a superstrate *coupled directly* to the sealant.” (Emphasis added). In contrast, the Examiner stated that Freeman discloses “a package comprising . . . a superstrate . . . coupled to the sealant (*thru the elements 3 and 6*).” (Emphasis added). Office Action, Page 3. Accordingly, as recognized by the Examiner, it is clear that the Freeman reference fails to disclose a superstrate *coupled directly* to the sealant as recited in amended claim 1. Accordingly, claim 1, as amended, is not anticipated by Freeman because the reference fails to disclose each and every element of the claim.

In view of the remarks set forth above, Applicants assert that Freeman fails to disclose all of the recited features of amended independent claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-6, 8 and 9 under 35 U.S.C. § 102(b). Further, Applicants request an indication of allowance for independent claim 1 and its dependent claims 2-6, 8 and 9.

**Rejections Under 35 U.S.C. § 103**

The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Freeman in view of Silvermail (US 6,624,568, hereinafter “Silvermail”). Further, the Examiner rejected claim 10 U.S.C. § 103(a) as being unpatentable over Freeman in view of Bornstein (US 4,352,844, hereinafter “Bornstein”). Applicants respectfully traverse these rejections.

### ***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). To establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

### ***Dependent Claims 7 and 10***

The Examiner rejected dependent claim 7 as being obvious over Freeman in view of Silvernail. Additionally, the Examiner rejected dependent claim 10 as being obvious over Freeman in view of Bornstein. Claims 7 and 10 depend upon amended claim 1, which, as discussed above, contains elements that are not disclosed by the Freeman reference. Specifically, the Freeman reference does not disclose “a superstrate coupled directly to the sealant.” The addition of Silvernail and Bornstein does not obviate the Freeman reference’s failure to disclose all elements of independent claim 1. As a result, the cited references, viewed alone or in combination, do not disclose all elements recited in the present claims and therefore fail to establish a *prima facie* case of obviousness. Accordingly, Applicants respectfully request withdrawal of the Examiner’s rejections and allowance of dependent claims 7 and 10.

### **New Claims**

#### ***Independent Claim 47 and Claims Depending Therefrom***

Referring to new independent claim 47, Applicants respectfully assert that the instant claim recites features not found in any of the cited references. As disclosed in the present specification, in one embodiment, the superstrate layer is larger than the flexible substrate and is adapted to wrap around the edge of the package. Application, Page 9, line 22-24. Accordingly, independent claim 47 recites “[a] package comprising . . . a superstrate coupled directly to the sealant and disposed proximate to the organic

electronic device, wherein the superstrate comprises at least one layer larger than the flexible substrate and a periphery adapted to wrap around the edges of the package."

Applicants assert that none of the cited references, either alone or in combination, disclose each and every element of independent claim 47. Therefore, Applicants respectfully submit that independent claim 47 and dependent claims 48-50 are allowable over the cited references. Accordingly, Applicants respectfully request allowance of claims 47-50.

**Conclusion**

In view of the remarks set forth above, Applicants respectfully request reconsideration of the Examiner's rejections and allowance of all pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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